

EXHIBIT

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL 1570 (GBD)(FM)

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THIS DOCUMENT RELATES TO:

*THOMAS E. BURNETT, SR., ET AL. VS. AL BARAKA
INVESTMENT AND DEVELOPMENT CORP., ET AL.
03 CV 9849 (RCC)*

DECLARATION OF ROBERT T. HAEFELE

I, Robert T. Haefele declare under penalty of perjury:

1. I am attorney admitted to practice *pro hac vice* before this Court and an attorney at the firm of MOTLEY RICE LLC, counsel for Plaintiffs in *Burnett, et al. v. Al Baraka Investment & Development Corp., et al.*, Civil Action Nos. 03 CV 9849 and 03 CV 5738. I submit this declaration to identify the exhibits referenced in Plaintiffs' letter in support of Plaintiffs' request for the Court's assistance in compelling discovery from defendant Al Haramain Islamic Foundation, the Ashland, Oregon branch of the worldwide Al Haramain network.
2. Attached as Exhibit 1 is a true and accurate copy of Plaintiff's Request for Production of Documents to Al Haramain Islamic Foundation, Inc;
3. Attached as Exhibit 2 is a true and accurate copy of Plaintiff's Interrogatories to Al Haramain Islamic Foundation, Inc;
4. Attached as Exhibit 3 is a true and accurate copy of Defendant Al Haramain Islamic Foundation, Inc.'s Responses to Plaintiff's Request for

Production of Documents:

5. Attached as Exhibit 4 is a true and accurate copy of Defendant Al Haramain Islamic Foundation, Inc.'s Responses to Plaintiff's Interrogatories;
6. Attached as Exhibit 5 is a true and accurate copy of Alphabetical Listing of Specially Designated Nationals and Blocked Persons published by the United States Office of Treasury's Office of Foreign Asset Control, excerpt regarding Al Haramain;
7. Attached as Exhibit 6 is a true and accurate copy of the U.S. Department of Treasury Press Release JS-1895, "U.S.-Based Branch of Al Haramain Foundation Linked to Terror; Treasury Designates U.S. Branch, Director;
8. Attached as Exhibit 7 is a true and accurate copy of the U.S. Department of the Treasury, Memorandum for R. Richard Newcomb, Director of Office of Foreign Assets Control, bates numbered 0006469 to 0006483;
9. Attached as Exhibit 8 is a true and accurate copy of FBIS, Al-Hayah Reports 'Dismissal' of Saudi Al-Haramayn Charity Director General, citing one of the reasons for Al-Aqil's eventual removal was his "absolute centralization", bates numbered PUBLIC-AR0254 – PUBLIC-AR0255;
10. Attached as Exhibit 9 is a true and accurate copy of the U.S. Department of Treasury translation of a statement from Mansour al-Qadi Deputy Manager of Al Haramain Foundation, bates numbered PUBLIC-AR0258 – PUBLIC-AR0269;
11. Attached as Exhibit 10 is a true and accurate copy of documents bates

numbered AHIF000914 – AHIF000915 and produced by AHIF as Aqeel Abdul Aziz Al-Aqil's (a/k/a Ageel Al-Ageel, Aqeel Al-Aqeel, Aqeel al-Aqil) power of attorney;

12. Attached as Exhibit 11 is a true and accurate copy of U.S. Department of Treasury, "Additional Background Information on Charities Designated Under Executive Order 13224," available at http://www.treas.gov/offices/enforcement/key-issues/protecting/charities_execorder_13224-a.shtml;
13. Attached as Exhibit 12 is a true and accurate copy of press release from the U.S. Department of the Treasury Press Release JS-1703, "Additional Al-Haramain Branches, Former Leader Designated by Treasury as Al Qaeda Supporters – Treasury Marks Latest Action in Joint Designation with Saudi Arabia," released June 2, 2004, available at <http://www.ustreas.gov/press/releases/js1703>;
14. Attached as Exhibit 13 is a true and accurate copy of the Oregon Secretary of State Business Entity Data for Al Haramain Foundation, Registry Nbr. 600623-88;
15. Attached as Exhibit 14 is a true and accurate copy of the Affidavit in Support of an Application for Search Warrant, filed in the U.S. District Court of Oregon, bates numbered AHIF001537 – AHIF001573;
16. Attached as Exhibit 15 is a true and accurate copy of documents bates numbered AHIF000007 – AHIF000018 and produced by AHIF as Al Haramain Islamic Foundation Inc.'s Form 1023 for tax year 1999,;
17. Attached as Exhibit 16 is a true and accurate copy of documents bates

- numbered AHIF001503-AHIF001517 and produced by AHIF as Al Haramain Islamic Foundation Inc.'s Form 990 for tax year 2001;
18. Attached as Exhibit 17 is a true and accurate copy of the "Foundation Administration" section from the Al Haramain website as archived at <http://web.archive.org/web/20030623052712/http://alharamain.org/alharamain/eng/inner.asp?order=1&num=1>;
 19. Attached as Exhibit 18 is a true and accurate copy of Government Exhibit 307, United States v. Osama Bin Laden, including a copy of a business card of Mansour A. Al-Kadi, Al Haramain Islamic Foundation Deputy Gen. Director;
 20. Attached as Exhibit 19 is a true and accurate copy of documents bates numbered AHIF000178-180 and produced by AHIF as a letter from AHIF's Pete Seda to Soliman al-Bufhe and others at the Al Haramain headquarters in Riyadh, Saudi Arabia, addressing al-Bufhe and the others as follows: "Brother Soliman and all of our dear Brothers in Saudi Arabia," dated May 28, 1999;
 21. Attached as Exhibit 20 is a true and accurate copy of documents bates numbered AHIF000196-199 and produced by AHIF as a letter from Pete Seda, who again writes to Soliman al-Bufhe in Saudi Arabia, dated July 23, 1999;
 22. Attached as Exhibit 21 is a true and accurate copy of documents bates numbered AHIF001424—AHIF001425 and produced by AHIF as an August 17, 2000 Letter from Thomas J. Wilcox, CPA to the Internal

Revenue Service;

23. Attached as Exhibit 22 is a true and accurate copy of the "Our Activities" section of the Al Haramain website as archived at <http://web.archive.org/web/20020603123651/www.alharamain.org/english/ouractivities.htm>;
24. Attached as Exhibit 23 is a true and accurate copy of the "Contact Us" section of the Al Haramain website as archived at <http://web.archive.org/web/20010628011405/www.alharamain.org/english/index.htm>;
25. Attached as Exhibit 24 is a true and accurate copy of an Al Haramain webpage, "Kosovo Fund Relief" as archived at <http://web.archive.org/web/20040216162727/http://kosova.hypermart.net/harameen.html>;
26. Attached as Exhibit 25 is a true and accurate copy of documents bates numbered AHIF000805 and produced by AHIF as correspondence from Bilal Abdul-Kareem as AHIF office manager;
27. Attached as Exhibit 26 is a true and accurate copy of documents bates numbered AHIF000825-826 and produced by AHIF as AHIF correspondence dated May 5, 1999 from the U.S. office to Riyadh headquarters, titled "Emergency Proposal Regarding Repairs to the Electrical System in the Ashland Office's Masjid";
28. Attached as Exhibit 27 is a true and accurate copy of documents bates numbered AHIF001667 – AHIF1669 and produced by AHIF as AHIF correspondence from the U.S. office to Riyadh headquarters, "Re: Expanding Da'wa Efforts";

29. Attached as Exhibit 28 is a true and accurate copy of documents bates numbered AHIF000615 and produced by AHIF as AHIF correspondence dated November 23, 1998 from the U.S. office to the Riyadh headquarters, titled "Proposal Regarding Permanent Establishment of the *Dawah* Tent at the Ashland Office";
30. Attached as Exhibit 29 is a true and accurate copy of documents bates numbered AHIF000807-000809 and produced by AHIF as AHIF correspondence dated May 28, 1999 from the U.S. office to the Riyadh headquarters, titled "A Proposal to Help Albanian Refugees: Urgent Response Requested";
31. Attached as Exhibit 30 is a true and accurate copy of a document bates numbered AHIF000914 and produced by AHIF as a Power of Attorney from Al Haramain, Riyadh headquarters, signed by Aqeel Bin Abdel-Aziz Al-Aqeel, dated October 22, 1997;
32. Attached as Exhibit 31 is a true and accurate copy of a document bates numbered AHIF001624 and produced by AHIF as an Affidavit of Aqeel Al-Aqeel, as General Manager of Al Haramain Charitable Foundation, based in Riyadh, Saudi Arabia, dated December 31, 2003;
33. Attached as Exhibit 32 is a true and accurate copy of documents bates numbered AHIF001650-001652 and produced by AHIF and titled "Monthly Report: August 1999" from the AHIF U.S. office to the Riyadh headquarters;
34. Attached as Exhibit 33 is a true and accurate copy of a document bates

numbered AHIF001653-001655 and produced by AHIF as communication from AHIF U.S. office to the Riyadh headquarters, titled "36th Annual ISNA Convention";

35. Attached as Exhibit 34 is a true and accurate copy of a document bates numbered AHIF001833 and produced by AHIF as correspondence dated November 30, 1998 from the U.S. office to the Riyadh headquarters, titled "Camel Shelter Proposal";
36. Attached as Exhibit 35 is a true and accurate copy of the Affidavit of Khalid Bin Obaid Azzahri, in his official capacity as the Financial & Administrative Manager of Al Haramain, Riyadh headquarters, dated May 3, 2004, bates numbered PUBLIC-AR0408-0410;
37. Attached as Exhibit 36 is a true and accurate copy of a document bates numbered AHIF001120 and produced by AHIF as communication from the AHIF, U.S. office to the Riyadh office, "Re: Urgent relief for Afghani refugees," dated October 21, 2001;
38. Attached as Exhibit 37 is a true and accurate copy of a document bates numbered AHIF001825 – AHIF001828 and produced by AHIF as correspondence from Abu Yunus (a/k/a Pete Seda) in AHIF's U.S. office to al-Buthe in Riyadh headquarters, dated July 23, 1999;
39. Attached as Exhibit 38 is a true and accurate copy of documents bates numbered AHIF001831 – AHIF1832 and produced by AHIF as correspondence from the AHIF, U.S. office to the Riyadh office, titled "A Letter for Assisting the Muslim Refugees in the United States," dated May

21, 1998;

40. Attached as Exhibit 39 is a true and accurate copy of documents bates numbered AHIF000420-AHIF000421 and produced by AHIF as correspondence from Abdulaziz S. Al-Shoumar, of Al Haramain Riyadh headquarters USA Dawah Group, to Abu Yunus (a/k/a Pete Seda), of AHIF U.S. office;
41. Attached as Exhibit 40 is a true and accurate copy of documents bates numbered AHIF000417 and produced by AHIF as correspondence from Abu Yunus (a/k/a Pete Seda), of AHIF U.S. office, to Abdulaziz S. Al-Shoumar, of Al Haramain Riyadh headquarters USA Dawah Group;
42. Attached as Exhibit 41 is a true and accurate copy of documents bates numbered AHIF001256 and produced by AHIF as AHIF's Profit & Loss report for 2001;
43. Attached as Exhibit 41 is a true and accurate copy of documents bates numbered AHIF001257 and produced by AHIF as AHIF's Profit & Loss report for January 1, 2002 to October 2, 2002;
44. Attached as Exhibit 43 is a true and accurate copy of documents bates numbered AHIF001871-AHIF001878 and produced by AHIF as a May 14, 2004 letter from AHIF attorney Lynne Bernabei, Esq. to R. Richard Newcomb of OFAC;
45. Attached as Exhibit 44 is a true and accurate copy of documents bates numbered AHIF001834-AHIF001838 and produced by AHIF as Abdul-Qaadir Abdul-Khaaliq's Report of a visit to Al-Haramain Foundation

USA Office;

46. Attached as Exhibit 45 is a true and accurate copy of Oregon's Secretary of State Business Entity Data for Qur'an Foundation, Registry Number 170551-87;
47. Attached as Exhibit 46 is a true and accurate copy of documents bates numbered AHIF000157 and produced by AHIF as correspondence from Bilal Abdul-Kareem as representative of the Qur'an Foundation, dated March 1, 2000;
48. Attached as Exhibit 47 is a true and accurate copy of a document bates numbered AHIF000038 and produced by AHIF as an email from AHIF using addresses "haramain@alharamain.org" and "alharamain@qf.org";
49. Attached as Exhibit 48 is a true and accurate copy of a document bates numbered AHIF000824 and produced by AHIF depicting AHIF's business card using e-mail addresses "a@qf.org" and "haramain@alharamain.org";
50. Attached as Exhibit 49 is a true and accurate copy of a document bates numbered AHIF000851 and produced by AHIF as an e-mail from AHIF using e-mail addresses "alharamain@qf.org," "a@qf.org," and "haramain@alharamain.org";
51. Attached as Exhibit 50 is a true and accurate copy of the front and rear cover of the publication titled "SA'D Bin ABI WAQQAS," DAR TAIBA Press, 1999, which Al Haramain has represented was made available for distribution by its U.S. branch office;
52. Attached as Exhibit 51 is a true and accurate copy of the front and rear

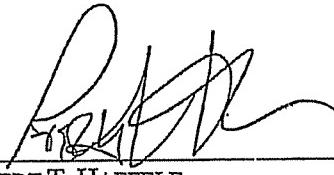
- cover of the publication titled "Prophet Muhammad A Blessing for Mankind," International Islamic Publishing House, 1998, which Al Haramain has represented was made available for distribution by its U.S. branch office;
53. Attached as Exhibit 52 is a true and accurate copy of the front and rear cover of the publication titled "33 Lessons for Every Muslim," Mussat Al-Haramain Al khairyyah, 1998, which Al Haramain has represented was made available for distribution by its U.S. branch office;
54. Attached as Exhibit 53 is a true and accurate copy of the front cover and page 26 of the publication titled "We Believe in Jesus," International Publishing House for Islamic Books, 1998, which Al Haramain has represented was made available for distribution by its U.S. branch office;
55. Attached as Exhibit 54 is a true and accurate copy of the publication titled "This is the Truth – Newly Discovered Scientific Facts Revealed in the Qur'an & Authentic Hadeeth," Compiled by Abdullah M. Al-Rehaili, 3rd ed. 1999, which Al Haramain has represented was made available for distribution by its U.S. branch office;
56. Attached as Exhibit 55 is a true and accurate copy of the front and rear cover of the publication titled "A Call to the Real Salvation," Soliman H. Albuthi, 1998, which Al Haramain has represented was made available for distribution by its U.S. branch office;
57. Attached as Exhibit 56 is a true and accurate copy of the front cover and the table of contents of the publication titled "Islam Is...Understanding

- Islam & It's[sic] Principles," Pete Seda, 2002, which Al Haramain has represented was made available for distribution by its U.S. branch office;
58. Attached as Exhibit 57 is a true and accurate copy of the front and rear cover of the publication titled "Interpretations of the Meaning of the Noble Qur'an Summarized in One Volume," Alharamain Islamic Foundation, 1996, which Al Haramain has represented was made available for distribution by its U.S. branch office;
59. Attached as Exhibit 58 is a true and accurate copy of documents bates numbered AHIF001907-08, AHIF001915-17, and AHIF001918-20 and produced by AHIF as correspondence, dated May 27, 2004, from AHIF attorney Lynne Bernabei to OFAC, enclosing copies of a January 4, 2004 bank deposit slip for the Riyadh office of Al Haramain for a deposit into Al Rahji bank in Saudi Arabia and a copy of a May 3, 2004 affidavit from Al Haramain's Financial & Administrative Manager, Khalid Bin Obaid Azzahri;
60. Attached as Exhibit 59 is a true and accurate copy of document bates numbered AHIF001921—AHIF001933 and produced by AHIF as correspondence dated May 28, 2004 from AHIF attorney Lynne Bernabei to OFAC, enclosing copies of ten letters sent to Al-Haramain's home office in Riyadh throughout 1995 to 1997, and
61. Attached as Exhibit 60 is a true and accurate copy of correspondence dated February 14, 2005 from AHIF attorney Lynne Bernabei to OFAC, enclosing copies of receipts purported to evidence March 2000 deposits by

AHIF officer al-Buthe at Al Rajhi Bank in Saudi Arabia, two receipts from Al Haramain's Riyadh office, dated March 12, 2000 and March 28, 2000, and another copy of Azzahri's May 3, 2004 affidavit, bates numbered PUBLIC-AR0795-808.

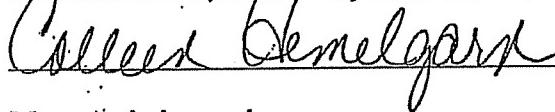
I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 30, 2009.



ROBERT T. HAEEFELE

Sworn before me, this 30th day of November, 2009



My commission expires,
**My Commission Expires
October 20, 2019**
